

Administration of Joseph R. Biden, Jr., 2023

Letter to Congressional Leaders on Continuation of the National Emergency With Respect to Libya

February 17, 2023

Dear Mr. Speaker: (Dear Madam President:)

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to Libya declared in Executive Order 13566 of February 25, 2011, and expanded in Executive Order 13726 of April 19, 2016, is to continue in effect beyond February 25, 2023.

Libyans confront ongoing instability originating from actions Colonel Muammar Qadhafi, his government, and close associates took against the people of Libya in 2011. Civil conflict in Libya will continue until Libyans resolve their political divisions and foreign military intervention ends. Because many of these divisions relate to access to resources, a serious risk remains that, if not protected, Libyan state assets will be misappropriated by parties determined to undermine the ongoing United Nations peace process, including former members of the Qadhafi government, members of the Qadhafi family, or Qadhafi's close associates. The diversion of these resources could prolong and deepen the current instability in Libya, which benefits ISIS and other terrorist groups that pose a serious threat to the national security of the United States and the security of regional partners. We run the risk of military escalation if sanctions do not remain in effect, particularly since those who reject dialogue and obstruct and undermine Libya's democratic transition remain interested in exploiting the wealth of the Libyan people to advance their narrow self-interest and perpetuate conflict in the country.

The situation in Libya continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States, and we need to protect against the diversion of assets or other abuse by persons hindering Libyan national reconciliation, including Qadhafi's family and associates. Therefore, I have determined that it is necessary to continue the national emergency declared in Executive Order 13566 with respect to Libya.

Sincerely,

JOSEPH R. BIDEN JR.

NOTE: Identical letters were sent to Kevin O. McCarthy, Speaker of the House of Representatives, and Kamala D. Harris, President of the Senate. An original was not available for verification of the content of this letter.

Categories: Communications to Congress : Libya, U.S. national emergency, letter on continuation.

Subjects: Libya, international diplomatic efforts; Libya, political unrest and violence; Libya, U.S. national emergency continuation.

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